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## JUMPS AT A FALSE CLUE

**Federal Grand Jury  
Reports Without  
Seeing.**

**IS SEVERELY  
CRITICISED**

**Incorrect Report Made on United  
States Witnesses in Oahu  
Prison.**

When the Federal Grand Jury made  
its report to Judge Estee last week  
concerning the methods employed by  
Marshal Ray in incarcerating witnesses  
held for United States trials in Oahu  
Prison, the Marshal was attacked for  
conditions over which he is supposed  
to have control, and the Jury also tried  
to impress the Judge with the idea that  
the Prison in which these men are held  
is a veritable hell-hole.

In this report the Jury states it had  
made a careful investigation of the con-  
ditions in the prison especially those re-  
lating to the detention of the United  
States witnesses. There is positively  
no evidence to show that the Federal  
Grand Jury placed its feet within the  
enclosure of the Prison at the time men-  
tioned, nor has the Jury been out to the  
Prison up to the present date.

"Your jury," said this body, "upon  
careful examination find that at the  
present time the method employed to  
secure the presence of the witnesses  
and other persons who may be required  
in the United States court \* \* \* is  
to commit them to the care of the High  
Sheriff of the Territory, who places  
them in the Territorial penitentiary,  
under the same conditions and regula-  
tions as the prisoners. Your Grand  
Jury are instructed that this is a viola-  
tion of United States law governing the  
detention of witnesses and persons held  
for appearance in Court, that such per-  
sons should be detained in a jail and  
not a penitentiary."

Mr. Moyer of the Department of Jus-  
tices who was in Honolulu several  
weeks ago, and who examined every  
department of the courts, jails, prisons  
and other matters of the kind, made an  
inspection of Oahu Prison and reported  
that the prison, both structurally and  
in its methods of segregation of the  
various classes of persons confined  
there, was as good, if not superior to  
many institutions of the kind in the  
States. Mr. Moyer personally investi-  
gated the lot of each class of prisoners  
and witnesses held in the prison at that  
time; he investigated their cells and the  
methods of feeding the prisoners  
and the food that was daily served out  
to them. He asked Jailer Henry to  
submit to him the cost of keeping  
United States prisoners and witnesses  
in the Prison and the figures were given  
him and were taken by him to Wash-  
ington where they entered into his  
favorable report. The United States  
authorities, and those at the head of the  
criminal branch of the United States  
government prefer that the persons in  
custody of United States officers should  
be kept in Oahu Prison.

The Jury goes on further to say:  
"Your Jury find that the persons held  
to appear in this United States court  
are treated the same as those under  
sentence for the worst of crimes (ex-  
cepting only that they are not put to  
hard labor); they are obliged to submit  
to the same prison regulations and fare,  
and from the evidences of many wit-  
nesses and from a sample breakfast  
produced before your jury, we find that  
the rations supplied to the prisoners  
are not of such a quantity and quality  
as these men are entitled to at the  
hands of those who hold them in con-  
finement for no fault of their own."

Again the jury is at fault. Jailer Hen-  
ry stated to an Advertiser representa-  
tive yesterday that the Federal Grand  
Jury has not yet put in an appearance  
at the prison, and the only witnesses  
that have been examined were those  
from the vessels who are detained await-  
ing the trial of the principals in the  
cases. He says positively, and the in-  
vestigations of the Advertiser amply  
bore out his statements, that the men  
are not treated the same as the prison-  
ers, but are greater as to quantity and  
better as to quality. Jailer Henry does  
not know how the "sample breakfast  
produced before the jury" found its way  
into their august presence, unless one of  
the men slipped a piece of bread and a  
piece of salmon into his pocket and thus  
presented the same to the astonished  
gaze of the jurors. Thrust edibles of  
this kind before any one after they have  
occupied a man's pocket, and they don't  
look appetizing.

beneath the windows of the Jailer's of-  
fice, where the grass is green and en-  
joy comparative freedom there. The only  
prison official in that place is the gate  
attendant. The witnesses are allowed to  
talk, the only requirement being that  
they modulate their voices so they will  
not be heard to any extent by the pris-  
oners.

As to their breakfast bill of fare, they  
are generally served with roast beef, or  
stewed beef and potatoes, rice and vege-  
tables, soft and hard bread, tea or cof-  
fee, pork and beans is also one of their  
messes for supper. Occasionally they  
have beefsteak. The food is well cook-  
ed and in a place which could not be  
neater if it were a portion of a private  
residence. At 4 o'clock yesterday a  
mess for these men was being cooked  
consisting of rice, cabbage, stewed beef  
and potatoes and coffee, while soft bread  
was about to be issued.

Jailer Henry says that the taxpayers  
would likely object if he were to at-  
tempt to substitute hotel kitchen ar-  
rangements and fare for the prisoners for  
that now in vogue. The men who are  
sent to prison have committed acts  
against the laws of the country, and the  
prison is a place where they are disci-  
plined; only regular rations, plain and  
nourishing, are dealt out to the men. In  
no prison are provided the luxuries found  
on private and hotel tables, and the  
same general rule is followed in Oahu  
Prison. The health statistics of the pris-  
on indicate that the fare is nourishing,  
as there is very little sickness there. The  
men appear robust and are generally  
able to perform the hard labor to which  
they were sentenced.

The witnesses for the United States  
Courts are assigned to a division of cells  
on the lower side of the enclosure close  
to the office building. The cells are  
clean and fresh-smelling and contain  
cots; there are plenty of bed clothes, air  
and light. The only regulation to which  
the witnesses conform in common with  
the prisoners is that they are locked in  
for the night. They are placed within  
their cells a half hour after the pris-  
oners. The prison is as clean as a private  
residence, the yard has a spick and  
span appearance which indicates that  
cleanliness is one of the first considera-  
tions. The working prisoners, upon re-  
turning from their work go to the bath-  
rooms, wash themselves and then their  
clothes, changing to a clean suit. Each  
prisoner is given a small piece of soap  
each night.

A casual reader would imagine from  
the reports of juries made upon Oahu  
Prison that it was a horrible place. It  
is quite to the contrary, and many a  
housewife could learn neatness there.

"Now," said Jailer Henry, "in regard  
to this Grand Jury, it was an uncal-  
culated attack made upon Marshal Ray  
in regard to putting United States wit-  
nesses here. What other institution have  
we where witnesses could be placed?  
Certainly not in the City Jail. There are  
always a lot of drunks being brought  
there every night, and they keep up a  
continual din of singing and shouting.  
Would it be pleasant for these witnesses  
to be held there, do you think? Oahu  
Prison is a quiet, orderly place. The  
men, of course, are sober, and sobriety  
causes them to behave. If a man is not  
quiet we have places to put him in where  
he will have to be quiet."

"I consider the report attacked Mar-  
shal Ray without cause. As for his not  
knowing what there was here, I wish to  
state that the Marshal was and is fully  
aware of the quality and quantity of  
food supplied here. Mr. Moyer, exam-  
iner of the Department of Justice at  
Washington, was here some time ago and  
made a thorough examination of the  
prison and expressed himself as surpris-  
ed at the manner in which we handled  
the many nationalities of prisoners. He  
said he considered the prison as good if  
not better than many in the States."

"If the witnesses cannot be placed in  
the City Jail and the Grand Jury believes  
that the prison is not a proper place for  
them, the only thing to do would be to  
send them to San Francisco, and that is  
preposterous. A county jail needs an  
appropriation, and even if an appropria-  
tion was available, it would take some  
time to place such a structure in readi-  
ness for prisoners and witnesses."

"This prison is governed by an honor-  
able board of inspectors, consisting of  
P. J. Lowrey, John S. Walker and Mr.  
Smithers, who make visits here regular-  
ly to investigate conditions, and hear all  
the complaints made by the prisoners."

When the Federal Grand Jury desires  
to make a report of conditions which are  
of vital interest to the community their  
investigations of public institutions had  
better be conducted personally and in-  
formation gained first hand instead of  
through unreliable persons.

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